

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL W. HILL,

Plaintiff,

vs.

UNITED STATES OF AMERICA,
JOHN J. LAMANNA, WILLIAM K.
COLLINS, MARTY SAPKO,
STEPHEN HOUSLER, ROBERT
KLARK, ROBERT REOME,
BETH FANTASKEY, and
DEBORAH FORSYTH,

Defendants

) Docket No. 03-323E
)) (Judge Susan Paradise Baxter)
))
)) ELECTRONICALLY FILED PLEADING
)) JOINT MOTION TO MODIFY CASE
)) MANAGEMENT ORDER
))
)) Filed on behalf of: Plaintiffs and Defendants
))
)) Counsel of record for this party:
))
)) Richard A. Lanzillo, Esq.
)) Knox McLaughlin Gornall
)) & Sennett, P.C.
)) 120 West 10th Street
)) Erie, PA 16501
)) Telephone (814) 459-2800
)) Facsimile (814) 453-4530
)) Email rlanzillo@kmgslaw.com
)) PA53811

LESLIE R. KELLY,

Plaintiff,

vs.

UNITED STATES OF AMERICA,
JOHN J. LAMANNA, MARTY SAPKO,
DEBORAH FORSYTH, STEPHEN
HOUSLER

Defendants

) Docket No. 03-368E
)) (Judge Susan Paradise Baxter)
))
))
))
))
))
))
))
))
))
))

KEVIN SIGGERS,) C.A. No. 03-355 Erie
Plaintiff) (Judge Susan Paradise Baxter)
vs.)
UNITED STATES OF AMERICA,)
JOHN LAMANNA, DEBORAH)
FORSYTH, MARTY SAPKO, and)
STEPHEN HOUSLER,)
Defendants)

MYRON WARD,) Docket No. 04-11
Plaintiff,) (Judge Susan A. Paradise Baxter)
vs.)
UNITED STATES OF AMERICA,)
JOHN LAMANNA, DEBORAH)
FORSYTH, MARTY SAPKO,)
STEPHEN HOUSLER, NED WATSON,)
Defendants)

KENNY HILL,) Docket No. 05-160E
Plaintiff,) (Judge Susan Paradise Baxter)
vs.)
JOHN J. LAMANNA, DEBORAH)
FORSYTH, MARTY SAPKO, and)
STEPHEN HOUSLER)
Defendants)

JOINT MOTION TO MODIFY CASE MANAGEMENT ORDER

AND NOW, come the plaintiffs, Michael Hill, Kevin Siggers, Leslie Kelly, Myron Ward and Kenny Hill, as well as defendants, John Lamanna, Deborah Forsyth, Marty

Sapko, Stephen Housler, William Collins, Robert Klark, Robert Reome, Beth Fantasky and the United States of America and files the following Joint Motion to Modify Case Management Order:

1. On August 24, 2006, the Court entered a Case Management Order in these Consolidated cases.

2. Under that Case Management Order, discovery in this matter is set to close on December 1, 2006.

3. The Parties to this matter have performed substantial discovery in these cases including of the exchange of written discovery, the video depositions of all plaintiffs, and the scheduling of depositions for defendants and witnesses.

4. Expert review, including individual examinations of the plaintiff inmates, is being scheduled and is likely to take several weeks to be completed due to the need to transport the plaintiffs to different facilities.

5. In order to properly complete discovery, the Parties request that the deadline for the completion of discovery be extended by 60 days.

6. Additionally, the Parties agree to an extension of two weeks between the close of discovery and the deadline for filing dispositive motions.

7. These requested extensions will result in the following adjustments to the Case Management Order:

- a) Discovery due by February 1, 2007
- b) Dispositive Motions due by March 1, 2007
- c) Response to Dispositive Motions due by April 2, 2007

8. This is the first request for a modification to the Case Management Order.

WHEREFORE, the plaintiffs and defendants, respectfully requests this Court enter an Order in the form attached hereto, extending the discovery period by 60 days and adjusting the remaining deadlines accordingly, and as identified on the attached proposed order.

Respectfully submitted,

KNOX McLAUGHLIN GORNALL &
SENNETT, P.C.

BY: /s/ Richard A. Lanzillo

Richard A. Lanzillo, Esquire
Neal R. Devlin, Esquire
120 West Tenth Street
Erie, Pennsylvania 16501
(814) 459-2800

Attorneys for Plaintiffs, Michael Hill,
Leslie Kelly, Kevin Siggers, Myron Ward
And Kenny Hill

Respectfully submitted,

MARY BETH BUCHANAN
United States Attorney

/s/ Michael C. Colville
MICHAEL C. COLVILLE
Assistant U.S. Attorney
700 Grant Street, Suite 4000
Pittsburgh, PA 15219
(412) 894-7337
PA ID No. 56668

Attorneys for all Defendants

699439